

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
ABILENE DIVISION**

**OLGA CHARO,**

**Plaintiff,**

**vs.**

**MICHAEL J. ASTRUE,  
Commissioner of Social Security,**

**Defendant.**

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**Civil Action No. 1:09-CV-038-C  
ECF**

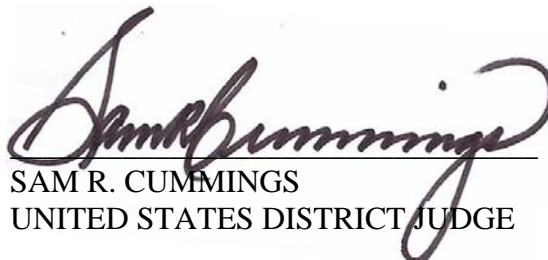
**ORDER**

**THIS MATTER** comes before the court on the Report and Recommendation filed September 10, 2010 (Doc. 24). No written objections have been filed.

**IT IS, THEREFORE, ORDERED** that the findings and conclusions in the Report and Recommendation are **ADOPTED** as the findings and conclusions of the court and that this cause is reversed and remanded for further proceedings pursuant to 405 U.S.C. § 405(g).

Upon remand, the ALJ should further consider whether, if Plaintiff were abstinent, Plaintiff retains the RFC to perform work which exists in significant numbers in the economy.

Dated September 27, 2010.

  
SAM R. CUMMINGS  
UNITED STATES DISTRICT JUDGE